

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
IME WATCHDOG, INC.,

Plaintiff,

-against-

SAFA ABDULRAHIM GELARDI, VITO GELARDI,  
GREGORY ELEFTERAKIS, ROMAN POLLAK,  
ANTHONY BRIDDA, NICHOLAS ELEFTERAKIS,  
NICHOLAS LIAKIS, and IME COMPANIONS LLC,

Defendants.

-----X  
SAFA GELARDI and IME COMPANIONS, LLC,

Third-Party Plaintiffs,

-against-

CARLOS ROA,

Third-Party Defendant.

-----X  
CARLOS ROA,

Third-Party Counter-Claimant,

-against-

SAFA ABUDLRAHIM GELARDI, VITO GELARDI,  
and IME COMPANIONS, LLC,

Third-Party Counter-Defendants.

-----X  
Adam Rosenblatt declares, pursuant to 28 U.S.C. § 1746, under penalty of perjury, that the  
following is true and correct:

Case No.: 1:22-cv-1032 (PKC) (JRC)

**REPLY DECLARATION OF  
ADAM ROSENBLATT IN FURTHER  
SUPPORT OF PLAINTIFF'S ORDER TO  
SHOW CAUSE FOR CONTEMPT AND  
FOR AN ORDER OF ATTACHMENT  
PURSUANT TO RULE 64 OF THE  
FEDERAL RULES OF CIVIL  
PROCEDURE & ARTICLE 62 OF  
THE NEW YORK CIVIL  
PRACTICE LAW & RULES**

1. I am the President of IME WatchDog, Inc. ("IME WatchDog"), the Plaintiff in the above-captioned case.

2. As such, I am fully familiar with the facts and circumstances set forth below, based upon the facts known to me to be true, a review of my records, conversations with principals of IME WatchDog, and this Court's Orders.

3. On April 20, 2023, I was assigned to observe an independent medical examination ("IME") with Dr. Dorothy Scarpinato, located at 176 Hicksville Road, Bethpage, NY 11714.

4. Upon my arrival, I observed Jeff Beiben ("Beiben"), an agent of IME Companions LLC ("Companions") and Client Exam Services LLC ("CES"), present at this location.

5. I know what Beiben looks like because, among other things, he was present at the April 4, 2022 show cause hearing.

6. When Beiben saw me, I observed him quickly ran out of Dr. Scarpinato's office.

7. I also heard the receptionist yell out words to the effect of: "Demetria Jones, did your legal rep step out?"

8. I then observed an African American woman stating to the receptionist words to the effect of "he will be right back," referring to Beiben.

9. I then also stepped out of Dr. Scarpinato's office to call my client, and waited in my car until my client arrived.

10. While I waited, I observed Beiben leave with Demetria Jones.

11. Later, when I was in the examination room with my client and Dr. Scarpinato, she asked me who I was, I stated that I am Adam with IME Watchdog, and that Gabrielle usually comes to this location on behalf of IME WatchDog.

12. She stated in response that there are always some regular IME observers at this office from various companies.

13. Specifically, she identified Gabrielle from IME Watchdog, and also identified Beiben from *IME Legal Reps.*

14. Prior to that date, I had never heard of any company called IME Legal Reps, and was perplexed to find out that there is another company given the niche field.

15. Because Beiben worked for IME Companions and is related to its owners, and the company he subsequently performed services for at Client Exam Services LLC was enjoined from serving law firms on the Enjoined Customers List, I found it curious that Beiben is now working for yet another company, "IME Legal Reps."

16. I performed a search of the New York State Court Electronic Filing ("NYSCEF") system for "Demetria Jones," and learned that she is represented by Subin Associates LLP ("Subin"), a law firm on the Enjoined Customers List. See Index No.: 605063/2020 (Nassau County Supreme Court), NYSCEF Docket Entry 1; see also copy of NYSCEF Case Detail page annexed hereto as **Exhibit "A."**

17. Also attached hereto as **Exhibits "B," "C," and "D"** are pictures that contain a fair and accurate representation of what I witnessed. I took these pictures with my cellular phone.

18. I did not engage with Beiben as I have been previously advised by Daniella Levi, Esq. to refrain from any contact with the Defendants.

19. Separately, just today, I was observing an IME at 80 Washington Street, Suite 301, Poughkeepsie, NY with Dr. Bradley Wiener ("Dr. Wiener").

20. There, I observed Defendant Vito Gelardi ("Vito") making a scene in front of Dr. Wiener and his secretary.

21. I overheard him tell Dr. Weiner about my mental condition in a disparaging manner, accuse me of physically attacking him, and demanding that I be removed from the medical office.

22. I overheard Dr. Weiner stating, in response, words to the effect of that I would never attack anyone, whereupon Dr. Weiner directed Vito to go downstairs and to wait until his IME was to be performed.

23. Vito is a large, tall man and was quite intimidating.

24. I took a picture of him as he was leaving; he left by showing me two thumbs up and smiling at me.

25. Attached hereto as **Exhibit "E"** is a picture that contains a fair and accurate representation of Vito. I took these pictures with my cellular phone.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 2, 2023.

Adam Rosenblatt  
Adam Rosenblatt (May 2, 2023 17:48 EDT)  
ADAM ROSENBLATT



# EXHIBIT A

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## 609954/2021 - Nassau County Supreme Court

[? Help](#)

Short Caption: **RAFAEL ANTONIO CUAXIL v. BI-COUNTY SCALE & EQUIPMENT CO., LLC**

Case Type: **Torts - Product Liability (PRODUCT)**

Case Status: **Active**

eFiling Status: **[Full Participation Recorded](#)**

Assigned Judge: **Rhonda E Fischer**

[Document List](#)

**[Case Detail](#)**

[3rd Parties](#)

[Court Notices](#)

### Full Caption

Rafael Antonio Cuaxil v. Bi-County Scale & Equipment Co., Llc

### Plaintiffs/Petitioners

Name	Represented By
Rafael Antonio Cuaxil	WINOGRAD, RICHARD MARK on 08/04/2021 GINARTE GALLARDO GONZALEZ WINOGRAD, LLP

### Defendants/Respondents

Name	Represented By
BI-COUNTY SCALE & EQUIPMENT CO., LLC	YONG, JEFFREY P on 09/14/2021 Martyn Smith Murray & Yong



**Maureen O'Connell**  
Nassau County Clerk  
[Nassau County Clerk's Website](#)

**Nassau County Clerk's Office**  
240 Old Country Road  
Mineola, NY 11501  
516-571-2660  
[efiling@nassaucountyny.gov](mailto:efiling@nassaucountyny.gov)

**Catherine M. Gray**  
Deputy County Clerk  
[cgray@nassaucountyny.gov](mailto:cgray@nassaucountyny.gov)

**Margaret Paczkowski**  
e-Filing Clerk  
[mpaczowski@nassaucountyny.gov](mailto:mpaczowski@nassaucountyny.gov)

**E-Filing Resources**  
[Nassau County Protocol](#)



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# EXHIBIT B







# EXHIBIT C







# EXHIBIT D







# EXHIBIT E













# 2023-05-02 Reply Declaration of Adam Rosenblatt

Final Audit Report

2023-05-02

Created:	2023-05-02
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-  Document created by Emanuel Kataev (mail@emanuelkataev.com)  
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